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From: Greg Lovato
Sent: Tue 3/7/2017 8:22:59 PM
Subject: Anaconda Site - March 8 Tribal Council Meeting
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Chairman Thom,

Thank you for your time yesterday and for the offer to provide material to be included in the Tribal Council meeting packet. I recognize you may not be able to include since I am sending this past noon.

After reviewing with EPA and BLM, I would like to provide below the following main messages the three agencies are planning to communicate tomorrow evening. Even though they may not get included in the board meeting packet, we thought it would be helpful for you to be aware of these ahead of time.

We understand that as part of the Anaconda agenda item, EPA, BLM and NDEP will be making some opening remarks and that there will be a question answer session.

Thanks,

Greg

1. Consistent with conditions in the Governor's March 2016 NPL concurrence letter and NDEP request, EPA is postponing final NPL listing for the Anaconda Site while EPA, BLM and NDEP evaluate the feasibility of a private funding agreement for addressing the whole Site, including the Arimetco (OU-8) portion.

2. In the past few months, NDEP and ARC have engaged in good faith and constructive discussions surrounding this option.
3. BLM and EPA have recently joined these discussions and agree that additional time is needed to continue discussions and evaluate whether the option can be supported as a viable alternative to NPL.
4. All parties are seeking a remedy for the Site that is CERCLA-protective. Evaluation of an alternative to NPL listing that is CERCLA-protective alternative and would utilize private funding instead of federal funding for OU-8 is good public policy and in the best interest of taxpayers.
5. EPA, NDEP, and BLM are committed to transparency and clear and open dialogue in the evaluation of alternatives to NPL. We are seeking input from the Yerington Paiute Tribe on how to conduct this evaluation in a manner that ensures you have meaningful participation.
6. This summer, if these discussions do not result in an agreement on an alternative path, the EPA, NDEP and BLM will move forward to finalize listing of the site on the NPL in 2017.
7. All agencies are committed to starting remediation on the Arimetco portion of the Site in 2019.

Greg Lovato, Administrator

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